

FILED

AO 91 (Rev. 02/09) Criminal Complaint

UNITED STATES DISTRICT COURT

ALBUQUERQUE, NEW MEXICO

UNITED STATES DISTRICT COURT

for the
District of New Mexico

JAN 29 2016

MATTHEW J. DYKMAN
CLERK

United States of America)

v.)

Steve Coleman)

XX/XX/XX60)

XXX-XX-8016)

Defendant

Case No. *Mj 16-350*

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

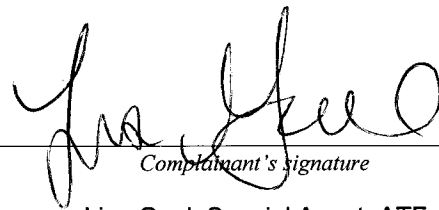
On or about the date of 01/21/2016 in the county of McKinley in the _____ District of
New Mexico, the defendant violated Title 18 U. S. C. § 922(g)(1) and 924 (a)(2)

, an offense described as follows:

On 01/21/16, Steve Coleman, a convicted felon, unlawfully possessed a Sig Sauer model 1911, .45 caliber pistol bearing serial number 54B061323 and a American Tactical Titan, .45 caliber pistol bearing serial number TB107196 that have traveled in and affected interstate commerce in violation of Title 18 U.S.C 922(g)(1) and Title 18 U.S.C. 924 (a)(2).

This criminal complaint is based on these facts:

See Attached Affidavit

☒ Continued on the attached sheet.

Complainant's signature

Lisa Gaul, Special Agent, ATF

Printed name and title

Sworn to before me and signed in my presence.

Date: 01/29/2016

Judge's signature

City and state: Albuquerque, New Mexico

Karen Molzen, Chief Magistrate Judge

Printed name and title

Page 2 of 5 Pages

Criminal Complaint - Continued.

United States of America

V.

Steve COLEMAN

SSN: 8016

1. Lisa Gaul, a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), being duly sworn, deposes and states:
2. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF). I have been employed with ATF since March of 2014. I am an investigative, or law enforcement officer of the United States within the meaning of Title 18, United States Code, Section 2510 (7), in that I am an officer of the United States who is empowered by law to conduct investigations and make arrests for the offenses enumerated in Title 18 and 26, United States Code.
3. Through the ATF, I have received specialized training in the enforcement of federal firearms, explosives, and arson laws. I have successfully completed the Criminal Investigator Training Program and the Special Agent Basic Training at the Federal Law Enforcement Training Center in Glynco, Georgia that certified me as a Special Agent with ATF. In connection with my official duties, I have been involved in numerous investigations of persons who are prohibited from lawfully possessing firearms and ammunition in violation of Title 18, United States Code, Section 922 (g) (1). I have experience in the execution of arrest and search warrants, surveillance and debriefings of defendants, suspects, witnesses, victims and informants.
4. Prior to being employed with the ATF, I was employed as a Border Patrol Agent with the United States Border Patrol (USBP) in Nogales, Arizona from March 2007 to March 2014. As a Border Patrol Agent I made arrests for violations of the Immigration and Nationality Act and the Controlled Substances Act. During my employment with the U.S. Border Patrol I was assigned to the Drug Enforcement Agency (DEA) from November 2010 to November 2012. While at the DEA, I was involved in numerous

Page 3 of 5 Pages

United States of America

V.

Steve COLEMAN

SSN: 8016

investigations for violations of the Controlled Substances Act.

5. This affidavit is intended to show only that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

PROBABLE CAUSE

6. On January 21, 2016, New Mexico State Police (NMSP) was dispatched to 146 Poorfarm Rd, Thoreau, New Mexico, in response to an individual, K.M., stating that his/her neighbor, Steve COLEMAN, had shot his/her two (2) dogs on his property located at 185 Poorfarm Rd., Thoreau, NM.
7. K.M. provided NMSP Patrolman W.R., a statement in which she heard her 2 dogs barking in the distance and attempted to contact COLEMAN. When she/he was unable to reach COLEMAN, he/she contacted COLEMAN's wife, Elizabeth, who was arriving at home and would let K.M. onto the COLEMAN property to retrieve his/her dogs. When K.M. and Elizabeth arrived at 185 Poorfarm Rd., K.M. heard gunshots. K.M. went to the back of the house and saw COLEMAN standing there holding a gun. K.M. asked COLEMAN if he killed his/her dogs and COLEMAN stated to K.M. that he did, as they were on his property. K.M. left the COLEMAN property and contacted the police.
8. New Mexico State Police and the McKinley County Sheriff's Department traffic stopped COLEMAN and Elizabeth on Poorfarm Rd. and detained COLEMAN pending further investigation. No firearms were located inside the vehicle.
9. COLEMAN was read his Miranda warnings and provided a statement. COLEMAN stated that two dogs were on his property and were growling and barking at him. COLEMAN went to check on his female dogs who were in a chained, fenced dog pen. COLEMAN stated the two dogs were throwing themselves against the cage and he attempted to throw snow and

Page 4 of 5

United States of America

V.

Steve COLEMAN

SSN: 8016

dirt on them and they came towards him barking and growling. COLEMAN stated that he remembered his wife said their son had given her a pistol and it was in her safe and she had told him the combination was on a slip of a paper taped to the back. COLEMAN opened the safe and retrieved a pistol wrapped in a towel and went outside and fired a warning shot. COLEMAN stated the dogs did not leave so he fired at them. COLEMAN stated he believed he put the pistol on the kitchen table or living room chair. COLEMAN was asked if he was a convicted felon in which he said yes. COLEMAN admitted to consuming a beer at the time of the incident. COLEMAN was placed under arrest for being a felon in possession of a firearm.

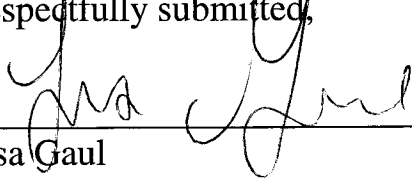
10. The COLEMAN residence was secured pending a search warrant. No one was allowed to enter the property without a police escort. A Search Warrant was obtained on January 22, 2016 in the District Court of McKinley County for a search of 185 Poorfarm Rd., Thoreau, NM.
11. During the search of the main residence of 185 Poorfarm Rd., a Sig Sauer, model 1911, .45 caliber pistol bearing serial number 54B061323 was found in a bedroom closet sitting on top of a child's seat in the closet. There was one (1) round of ammunition in the chamber and a magazine inserted. Located in the safe in main bedroom's closet, which was open, was an American Tactical Titan, .45 caliber pistol bearing serial number TB107196. Personal items of COLEMAN's were found inside the safe.
12. Your Affiant determined that Steve COLEMAN was previously convicted of Dangerous Use of Explosives, Bribery/Retaliation of a Witness (Bodily Injury) and Shooting from/into a Vehicle (No Bodily harm) in the Gallup District court under court case D-1113-CR-200600168.
13. Your Affiant determined the above firearm and ammunition were not manufactured in the State of New Mexico and found in the State of New Mexico; therefore affecting interstate commerce.

Page 5 of 5

United States of America
V.
Steve COLEMAN
SSN: 8016

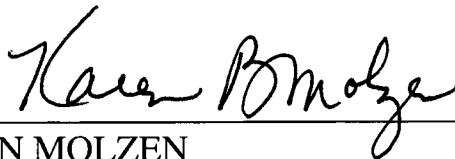
14. Based upon these facts, your Affiant opines there is probable cause to suggest Steve COLEMAN, a previously convicted felon, possessed the above firearm in violation of Title 18 U.S.C 922(g) (1) and 924 (a)(2).

Respectfully submitted,



Lisa Gaul
Special Agent
ATF

Subscribed and sworn to before me
on January 29, 2016:



KAREN MOLZEN
CHIEF UNITED STATES MAGISTRATE JUDGE